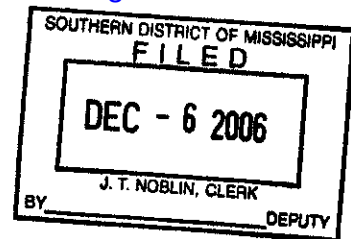


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:06 CR 40 DCB-JCS

ERNEST HARRIS ROGERS

MOTION AND ORDER TO SEAL

The United States of America requests that the Indictment herein be sealed, and represents the following:

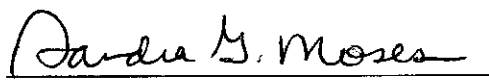
The Grand Jury has returned an Indictment against the Defendant. Revealing the existence of the Indictment prior to the arrest of the Defendant would jeopardize law enforcement agents and greatly impede the apprehension of the Defendant. However, the government requests that the U.S. Marshal Service be allowed to make copies of the indictment, warrant, and any related documents available to other federal, state, and local law enforcement agencies who request the same to facilitate the arrest and detention of the defendant.

WHEREFORE, the United States requests that the Court SEAL the Indictment and Return, and this Motion and Order, pending the arrest of the Defendant and that copies be distributed to law enforcement agencies as needed to facilitate the arrest and detention of the defendant.

Respectfully submitted,

DUNN LAMPTON
UNITED STATES ATTORNEY

By:


SANDRA G. MOSES, GA Bar #283815
Assistant United States Attorney

CONSIDERING THE FOREGOING, IT IS HEREBY ORDERED that the Indictment and Return herein be sealed, as well as this Motion and Order to Seal.

IT IS FURTHER ORDERED that the U.S. Marshal Service shall make copies of the indictment, warrant, and any related documents available to other federal, state, and local law enforcement agencies who request the same.

SO ORDERED, this the 5 day of December, 2006.


UNITED STATES MAGISTRATE JUDGE